
CT Foundation for Environmentally Safe Schools
A nonprofit organization dedicated to promoting policies, practices and resources that
protect school occupants from environmental health hazards
www.pollutionfreeschools.org
203-426-2954

June 22, 2007

Dr. Mark K. McQuillan, Commissioner
CT State Department of Education
165 Capitol Avenue
Hartford, CT 06106

Dear Commissioner McQuillan,

The reporting process required by Section One of PA 03-220: An Act Concerning Indoor Air Quality in Schools (Connecticut General Statutes 10-220(a)) has already yielded two fundamentally flawed reports that have been written and disseminated by the CT State Department of Education in 2004 and 2006. A third report on school facilities and indoor air quality (IAQ) will be released in the fall of 2007 or early in 2008. These reports are based on data generated from the School Facilities Survey (ED050). We are asking you to suspend the problematic reporting process that has just begun before yet another fundamentally flawed report is produced.

We have been informed that the 2007 ED050 Survey, which has previously been distributed toward the end of the summer or later, has recently been distributed to local school officials. The 2007 survey which is due July 16th has not been revised, and according to SDE staff is identical to the 2005 version. For this effort to produce meaningful results, this survey must be corrected before it is completed by local school officials and results are then tabulated and summarized by SDE staff for the school facilities report.

When PA03-220: An Act Concerning Indoor Air Quality in Schools was enacted in 2003, Section One of this law required that local boards of education:

1. Adopt and implement an indoor air quality (IAQ) program that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the IAQ of its facilities.
2. Report to the Commissioner of Education on the condition of its facilities and actions taken to implement its long term building program and indoor air quality program.

The Department of Education was instructed to periodically prepare a report for the Education Committee of the CT General Assembly based on these individual school reports. In response, SDE staff revised the School Facilities Survey (ED050) in 2003. Unfortunately, this attempt resulted in a problematic questionnaire that had no chance of fulfilling either the letter or legislative intent of the law. (Please see pages 9-12 of the enclosed 2005 ConnFESS report entitled Improving the Implementation & Enforcement of PA 03-220: An Act Concerning Indoor Air Quality in Schools for specific details). The SDE report submitted to the CT General Assembly in 2004 lacked credibility, as it was based on this flawed reporting process. Its overall conclusion that 87% of CT schools had no or only minor IAQ problems could not be reconciled with other reports, surveys and statistics cited by the CASE Report (2000), EPA and Environment and Human Health reports.

The report could not even answer the basic question: What school districts have adopted and implemented an effective IAQ program pursuant to PA 03-220?

During the first week of March 2006, the State Department of Education (SDE) released its second report on the conditions of Connecticut's public school facilities to include a chapter on indoor air quality (IAQ). The 2003 report had not fully complied with the IAQ for schools law (PA 03-220) because it did not ask school officials to comment on actions taken to implement an IAQ program. To its credit, SDE revised the ED050 in 2005 to include more input as to whether ventilation, source reduction and moisture intrusion issues had been identified and resolved. However, ConnFESS received feedback from school officials who had filled out the 2005 ED050 that both the wording and layout of these questions were confusing.

As a result, numerous local school officials did not fill out questions in the IAQ section of the ED050 correctly. This became obvious when the overall IAQ rating of a given school contradicted how IAQ issues (actions taken) were ranked. One of two patterns emerged. Some schools had an IAQ rating indicating serious environmental health hazards that could prompt the closing of the school and then identified no or only minor IAQ issues. At the opposite end of the spectrum were schools that ranked their IAQ as outstanding, and then listed up to thirteen major problems in need of remediation. These patterns are so pervasive in the SDE report that its conclusions cannot be viewed as credible. SDE staff apparently did not proofread or analyze the ED050s adequately prior to tabulating and summarizing their results.

Another obstruction was created by the misleading wording of question #34 in the 2005 ED050. Question #34 asked "Has the district provided a uniform inspection and evaluation of the indoor air quality in this building, such as the Environmental Protection Agency's Tools for Schools, Y/N? (Not required until January 1, 2008)". Many school officials inferred (as ConnFESS had predicated) that they did not have to have an IAQ program until 2008. This confusion was further reinforced when the introduction in the SDE report erroneously stated "...at this time no school district is required to conduct inspections and evaluations." Soon school districts started cancelling previously scheduled IAQ Tools for Schools trainings offered through the CT Department of Public Health. In March 2006 a letter cosigned by the Commissioners of Education and Public Health had to be sent out to all school districts to clarify that all districts have been required to "...adopt and implement an indoor air quality programs that provides for ongoing maintenance and facilities reviews ..." since PA 03-220 was enacted in July of 2003.

The importance of having an effective, meaningful reporting process cannot be overemphasized. In addition to the SDE report to the General Assembly, such a reporting process provides members of school communities - parents, teachers, and staff - with a means by which to assess the environmental health conditions in a school. Such information needs to be readily accessible to those most directly impacted by school indoor air quality. It is essential that the reporting process required by law accurately reflects the status of indoor air quality in CT's school facilities.

Members of ConnFESS and staff from the CT Department of Public Health have repeatedly raised concerns and made specific suggestions to SDE staff as to how the ED050 could be modified so it:

- is user friendly
- accurately represents the letter of the law
- will provide meaningful data

Enclosed is a second report entitled ConnFESS Addendum to 2005 Report. Released in 2006, this document provides an updated assessment of improvements that could be made in implementation and enforcement of the IAQ in Schools law. Pages 11-14 summarize ten problems that require the immediate attention of the Commissioner of Education. Page 13 specifically addresses issues that should be addressed before the next round of school facility surveys are distributed to school districts. If these issues are not dealt with, another flawed and misleading SDE report on IAQ conditions in CT schools will be presented to the General Assembly in 2008.

ConnFESS has developed considerable expertise in school IAQ issues, and would like to assist in improving the reporting process. We request that the ED050 distribution be suspended until a meeting with SDE, ConnFESS, and other stakeholders, can be organized to:

1. Clarify requirements of Section One and Two of PA03-220
2. Explore legislative and administrative ways to improve the implementation of these provisions of PA03-220
3. Examine the collaborative relationship SDE needs to have with DPH to effectively foster the use of effective IAQ programs in CT schools.

To assist us in achieving these goals we would suggest that the participants of such a meeting include:

- 1) Original champions of PA 03-220 such as Senator John McKinney, and Representatives Bob Godfrey, Pat Widlitz and Demetrios Giannaros
- 2) Members of the Education and Public Health Committees of the CT General Assembly

3) Staff from the CT Departments of both Education and Public Health (especially those involved in facilitating the EPA's Tools for Schools program)

4) ConnFESS Board of Directors, who inspired the passage of PA 03-220, and who have been tracking its implementation since enactment.

We would like to request the assistance of your office in setting up this meeting. Students and staff in CT's schools must be assured that their schools are free of preventable health hazards. We hope you will help us provide them with the safe and healthy learning environments that they need and deserve.

Thank you for your consideration in this matter. For further information and to set up a follow up meeting please contact:

Honorary President Joellen Lawson at (203) 426-2954 joielawson@aol.com
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Sincerely,

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